

MICHAEL P. STOCKDALE, JR.,)
)
Plaintiff,)
)
v.) No. 4:08-CV-1773 CAS
)
JAMES EARL STOCKDALE,)
)
Defendant.)

This matter is before the Court on plaintiff's motion for leave to amend his complaint. Defendant has not filed a response to plaintiff's motion, and his time for doing so has passed. For the following reasons, the motion will be denied without prejudice.

The instant complaint is long and rambling and fails to comply with the requirements of Rule 8. As a result, the Court will deny plaintiff's motion for leave to amend his complaint at this time. Should plaintiff wish to add additional claims to this action, he may seek leave to do so within the next thirty (30) days, as long as his proposed pleading is in compliance with the Federal Rules of Civil

Procedure. Plaintiff is reminded that the filing of an amended complaint replaces the original complaint, and any claims that are not realleged in an amended complaint are deemed abandoned. See, e.g., In re Wireless Telephone Federal Cost Recovery Fees Litig., 396 F.3d 922, 928 (8th Cir. 2005). Additionally, any amendment to plaintiff's complaint must state **clearly and concisely** exactly what the defendant did, or failed to do, which purportedly violated plaintiff's rights.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to amend his complaint is **DENIED** without prejudice. [Doc. 13]

IT IS FURTHER ORDERED that should plaintiff wish to amend his pleadings, plaintiff shall file an amended complaint that complies with the terms of this Order and the Federal Rules of Civil Procedure **no later than thirty (30) days from the date of this Order.**

A handwritten signature in black ink, appearing to read "Charles A. Shaw", is written over a horizontal line.

CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 11th day of February, 2009.